



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Department of Ecology AO # 08-01

Subject of possible rule making: Motor Vehicle Emission Inspection Program Changes

Statutes authorizing the agency to adopt rules on this subject: RCW 70.120.120

Reasons why rules on this subject may be needed and what they might accomplish:

Rulemaking is needed because of two changes in state law:

- Additional businesses including automotive repair businesses other than the operator of the vehicle emission test stations will be authorized to emission test vehicles starting July 1, 2012. RCW 70.120.170 2(d)
- 2009 model year and newer vehicles will be exempted from testing. RCW 70.120A.010(2)

Also program changes to reduce the impact of emission testing on vehicles owners will be considered such as:

- Exempting from testing additional vehicles including diesel vehicles with engines built to meet the federal 2007 heavy-duty tailpipe emission standards or retrofitted with an exhaust particulate filter.
- Streamlining testing procedures such as eliminating gas cap checks and the dynamometer testing of gasoline vehicles.
- Clarifying and simplifying wording.

Rather than amend the existing rule Chapter 173-422 Motor Vehicle Emission Inspection it is possible that a new rule Chapter 173-422A Motor Vehicle Emission Inspection will be proposed.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The Department of Licensing (DOL) will be kept informed during rule making since DOL is responsible for notifying vehicle owners when an emission test is required.

The Federal Environmental Protection Agency (EPA) will be asked to approve inclusion of the revised rule in the EPA approved state implementation plans to prevent violations of the carbon monoxide and ozone air quality standards.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) Ecology will involve interested stakeholders throughout the process by:
- Providing information on an agency website including how interested persons can be automatically notified of updated information.
 - Notifying the automotive repair businesses and technicians currently participating in the Emission Check Program.
 - Informing organizations that include automotive repair and service businesses not currently participating in the Emission Check Program.
 - Requesting comments from all potential emissions inspection services vendors including those that provide testing equipment or data collection systems.
 - Conducting public workshops and hearings in the three areas where emission testing is required.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE

August 1, 2008

NAME (TYPE OR PRINT)

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SIGNATURE

TITLE

Program Manager

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STATE OF WASHINGTON
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